

OGC HAS REVIEWED.

10 December 1953

Memorandum for the Record

Subject: Conversation with Mr. Fred Ford
of the Department of Justice

1. In connection with the issuance of E.O. 10501: Safeguarding Official Information, this Office has been requested by the Office of Operations to approve appropriate language for inclusion on certain of their publications to give warning to users of the problems of copyright and libel inherent in such publications. In addition, we have been asked for a ruling as to the propriety of using a phrase such as "For Official Use Only" on documents which were previously "Restricted". This latter problem arises where individual documents previously classified "Restricted" are of such a nature that they could not be properly classified "Confidential", but in their totality would represent information regarding coverage which should not become publicly available.

2. In addition to the requests from the Office of Operations, this Office has also received inquiry from the Chief of the Graphics Register Division/OCD as to what language can be placed on film leaders and photographs which formerly were classified "Restricted" not because of their content but because of the fact that they were in CIA possession.

3. On 9 December I discussed this matter with Mr. Fred Ford, of the Office of Legal Counsel in the Department of Justice. That office is responsible for interpretations of such things as Executive Orders. Mr. Ford pointed out that the terms "Confidential", "Secret", and "Top Secret" were to be utilized for defense information only, and the definitions of such information in the Executive Order were to be followed closely in that connection. However, this is not to be construed as a limitation which would hamper either Government operations or the integrity of agency files. Therefore, it is the Department's interpretation that, although certain types of information could not be classified as defense information, it would be perfectly appropriate to place some limitation on the information, such as "For Official Use Only" or "For U. S. Officials Only", or any similar limitation which is believed necessary for the protection of Government material.

4. In view of the above, it would appear to be appropriate for the Office of Operations to utilize the phrase "For Official Use Only" on

CIA INTERNAL USE ONLY

those documents which cannot appropriately be classified "Confidential" but which it is not desired to make public. Similarly, it would appear to be appropriate for the Office of Collection & Dissemination to attach a leader to their films or appropriate legend to their photographs indicating that they are "For Official Use Only" and that the fact that they are in the possession of CIA is official information not to be disclosed publicly.

STATINTL



Walter L. Pforzheimer
Legislative Counsel

OGC:WLP/blc